

REMARKS

Claims 7 and 9 have been amended to incorporate the subject matter of Claims 10 and 12, respectively. Claim 17 has been amended to more clearly define the subject matter which Applicants regard as the invention. Claims 1, 3-6, 10 and 12 have been canceled. No new matter has been added. Upon entry of this amendment, which is respectfully requested, Claims 1, 7, 9, 10, 13, 14, 17 and 18 are pending.

Response to Claim Rejection Under § 112

Claim 17 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

As noted, Claim 17 has been amended to more clearly define the subject matter which Applicants regard as the invention. The amendment is believed to address the Examiner's antecedent basis concerns. Accordingly, withdrawal of the rejection is respectfully requested.

Response to Claim Rejections Under § 103

Claims 1, 4-7, 9, 13, 14, 17, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-106570 to Yamamoto et al. Applicants respectfully traverse.

Independent Claims 7 and 9 have been amended to incorporate the subject matter of Claims 10 and 12, respectively. Claims 10 and 12 are not subject to this rejection. Claims 1 and 3-6 have been canceled. Thus, the present claims are patentable over Yamamoto JP '570 at least for containing the subject matter of Claims 10 and 12.

In addition, the present invention has the effect of improved elongation (%) and abrasion resistance due to the presently claimed composition's high gel fraction. The advantages of the presently claimed method of producing a polyolefin resin composition are illustrated in the working Examples at page 22-28 of the specification. In reference to the working Examples, the Examiner will note that the Comparative Examples are Examples 11 and 12. Accordingly,

Yamamoto fails to render obvious the present claims. Withdrawal of the rejection is respectfully requested.

Claims 3, 10, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto in view of U.S. Patent No. 4,207,373 to Segal.

Claim 3 has been canceled. Accordingly, as to claim 3, the rejection is moot.

As to claims 10 and 12, as noted, the subject matter of these claims has been incorporated into Claims 7 and 9, respectively.

In addition, Claims 7 and 9 are patentable over Yamamoto in view of Segal. Yamamoto does not disclose a method of producing a polyolefin resin composition as recited in present Claims 7 and 9, wherein the resin composition includes the components recited in the present claims and particularly silica particles in the specific amounts called for in Claims 7 and 9. Further, the advantages of the present invention, discussed above, would not have been expected in view of Segal. Accordingly, withdrawal of the rejection is respectfully requested.

Response to Double Patenting Rejections

Claims 1 and 3-6 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 7,041,726 to Yagi et al.

Claims 1 and 3-6 have been canceled. Thus, the double patenting rejection is now moot. Accordingly, withdrawal of the rejection is respectfully requested.

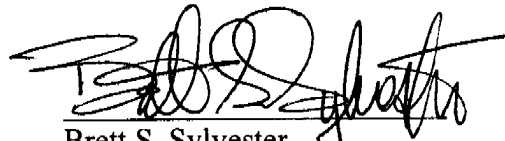
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 10/533,159

Attorney Docket No.: Q87739

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett S. Sylvester", is written over a horizontal line.

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